IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 4345 of 2001

Between:

Harika Sravanthi Puttagunta D/o.P.Bapuji,
R/o. C/o.Geethanjali Educational Institutions Pvt. Ltd., Benz Circle,

Vijayawada, Krishna Dist.

... PETITIONER

AND

1 NTR University of Health Sciences, Rep. by its Registrar
Gunadala, Vijayawada-520008
2 State of Andhra Pradesh, Rep.by its Secretary to Government,
Education Department, Secretariat Buildings,
Hyderabad - 22.
3 The Chairman Under Graduate Admissions Committee
NTR University of Health Sciences Gunadala, Vijayawada -520 008
4 Andhra Pradesh Council of Higher Education Rep.by its Chairman
Saifabad, Hyderabad.
5 Medical Council of India, Rep. by its Secretary
Awan - E, Galib Marg, Kotla Road, Opp: Mata Sundary Women's College,
New Delhi - 110 002

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction, more particularly one in the nature of Writ of Mandamus: i) declare the action of the respondents in granting admission in favour of the candidates who have secured the lesser rank than the writ petitioner into the 1st year MBBS course under the unreserved segment of seats as bad in law and consequently direct the respondents to grant admission to the writ petitioner into the 1st year MBBS course. ii) declaring the action of the respondents herein in admitting 37 reserved category candidates under payment category seats in Private Medical Colleges and subsequently shifting them to Govt. Medical Colleges and to free seats in Private Medical Colleges by considering their candidature

under reserved quota and consequently filling up the 37 resultant vacancies under payment category in the reserved category candidates as arbitrary, illegal and violative of Art.14 of the Constitution of India and iii) direct the respondents to fill up 37 resultant vacancies in payment category in open competition with the candidates who have secured higher ranks from among the open category and strictly in accordance with the merit.

Counsel for the Petitioner: MR.NUTY RAM MOHAN RAO (Not present)

Counsel for respondents 2 & 4: G.P. for Higher Education

Counsel for Respondents 1 & 3: Mr. D.V. Nagarjuna Babu

Counsel for Respondent No.5: SMT.Y.PADMAVATHI

The Court made the following:

ORDER:

This writ petition is filed seeking Mandamus declaring the action of the respondents in granting admission in favour of the candidates who have secured lesser rank than that of the petitioner in the 1st year MBBS Course under the unreserved segment of seats, as bad in law and for a consequential direction to the respondents to grant admission to the petitioner in the 1st year MBBS Course.

2. When the matter was taken up for hearing, none appears for the petitioner, nor a representation was made. Learned Standing Counsel appearing for the respondents submits that the issue involved in this writ petition is squarely covered by a common order of this Court, dated

16-07-2001 in W.P. Nos. 24204 of 2000 and 343 of 2001 and batch.

Recording the above submission and following the ratio in the aforementioned judgment, the writ petition is dismissed for similar reasons. No order as to costs.

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N.V. RAMANA, J

June 21, 2005

MRR

Assistant Registrar

// True Copy //

Section Officer

Copy to. –

1 *The Registrar, NTR University of Health Sciences,*
Gunadala, Vijayawada-520008
2 *The Secretary to Govt., State of Andhra Pradesh,*
Education Department, Secretariat Buildings,
Hyderabad - 22.
3 *The Chairman Under Graduate Admissions Committee*
NTR University of Health Sciences Gunadala, Vijayawada -520 008
4 *The Chairman, Andhra Pradesh Council of Higher Education,*
Saifabad, Hyderabad.
5 *The Secretary, Medical Council of India,*
Awan - E, Galib Marg, Kotla Road, Opp: Mata Sundary Women's College,
New Delhi - 110 002

6 *Two C.C. s to G.P. for Higher Education, High Court Buildings, Hyderabad (OUT)*

Two C.D. Copies.

Enclosed a copy of the order dated 16-07-2001 in W.P.No. 24204/01 and batch – R-1 to R-7.